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**\*E-FILED - 7/16/08\***

6 Attorneys for Defendants Sainte Claire Hotel, LLC and  
 7 Larkspur Hotels, LLC

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

10  
 11 JEAN RIKER, ) CASE NO. C08-01547 RMW  
 12 Plaintiff, )  
 13 v. )  
 14 SAINTE CLAIRE HOTEL, LLC; LARKSPUR )  
 15 HOTELS, LLC; IL FORNAIO (AMERICA) )  
 16 CORPORATION; and DOES 1-25, Inclusive, )  
 17 Defendants. )

XXXXXX  
**STIPULATION AND [PROPOSED] ORDER  
 RE EXTENSION OF TIME FOR JOINT  
 CONFERENCE**

18 Defendants SAINTE CLAIRE HOTEL, LLC, LARKSPUR HOTELS, LLC and IL  
 19 FORNAIO (AMERICA) CORPORATION and plaintiff JEAN RIKER (hereinafter "the parties"),  
 20 through their respective counsel of record, hereby stipulate to the continuance of the in-person  
 21 meet and confer conference to discuss settlement per General Order 56, ¶¶3, 4 of the Northern  
 22 District Court until August 22, 2008.

23 The parties further stipulate that plaintiff's deadline to file a Notice of Need for Mediation  
 24 per General Order 56, ¶6 be accordingly continued until September 10, 2008.

25 The parties further stipulate that all other deadlines and events remain as calendared on this  
 26 matter's Case Schedule.

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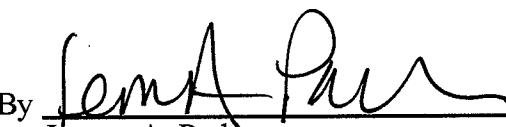
1 Good cause exists for this continuance. No previous time modifications have been made in  
 2 this case, whether by stipulation or Court order. The parties have conducted a thorough joint site  
 3 inspection with experts. Due to plaintiff's expert's schedule, the report on the inspection is  
 4 unavailable within the General Rule 56 time line. Moreover, defendants Sainte Claire Hotel and  
 5 Larkspur Hotels' expert Mr. Kim Blackseth will not return from a pre-planned, pre-scheduled out  
 6 of state vacation until August 10, 2008 and is unavailable to review and analyze plaintiff's  
 7 accessibility report and attend a conference until after his return. Mr. Blackseth's analysis is  
 8 necessary for defendants to engage in a meaningful meet and confer conference with the parties.  
 9 For these reasons, the parties respectfully request this court issue an Order continuing the deadline  
 10 for the joint meet and confer conference until August 22, 2008 and the deadline for plaintiff to file  
 11 a Notice of Need for Mediation until September 10, 2008. These continuances will not have any  
 12 impact on the remainder of the Case Schedule.

13 The parties further agree this stipulation may be executed in sub-parts and a signature  
 14 transmitted by facsimile may be deemed an original signature.

15 **IT IS SO STIPULATED.**

16 DATED: July 7, 2008

Lewis Brisbois Bisgaard & Smith, LLP

17  
 18 By   
 19 Jemma A. Parker  
 20 Attorneys for Defendants Sainte Claire Hotel, LLC, and  
 Larkspur Hotels, LLC

21 DATED: July \_\_\_, 2008

Sidney J. Cohen, P.C.

24 By

25 Sidney J. Cohen  
 26 Attorneys for Plaintiff Jean Riker

27 ///

1       Good cause exists for this continuance. No previous time modifications have been made in  
 2 this case, whether by stipulation or Court order. The parties have conducted a thorough joint site  
 3 inspection with experts. Due to plaintiff's expert's schedule, the report on the inspection is  
 4 unavailable within the General Rule 56 time line. Moreover, defendants Sainte Claire Hotel and  
 5 Larkspur Hotels' expert Mr. Kim Blackseth will not return from a pre-planned, pre-scheduled out  
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 12 impact on the remainder of the Case Schedule.

13       The parties further agree this stipulation may be executed in sub-parts and a signature  
 14 transmitted by facsimile may be deemed an original signature.

15       IT IS SO STIPULATED.

16       DATED: July   , 2008

Lewis Brisbois Bisgaard & Smith, LLP

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By

Jemma A. Parker  
 Attorneys for Defendants Sainte Claire Hotel, LLC, and  
 Larkspur Hotels, LLC

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By

*Sidney J. Cohen*  
 Sidney J. Cohen  
 Attorneys for Plaintiff Jean Riker

4812-2027-8786.1

STIPULATION AND [PROPOSED] ORDER RE EXTENSION OF TIME FOR JOINT CONFERENCE

-2-

1 DATED: July 7, 2008

2 Drummond &amp; Associates

3 By

4   
Donald Drummond  
5 Attorneys for Defendant Il Fornaio (America)  
Corporation6 ORDER  
78 The Court, having considered the parties' stipulation, and good cause appearing therefore,  
9 hereby ORDERS AS FOLLOWS:10 The meet and confer conference between the parties described in General Order 56, ¶4 shall  
11 be completed by August 22, 2008. The deadline for plaintiff to file a Notice of Need for  
12 Mediation shall be continued until September 10, 2008. All other deadlines shall remain the same.13 IT IS SO ORDERED.  
1415  
16 Dated: 7/16 200817   
18 JUDGE  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 SAN JOSE DIVISION  
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1 DATED: July \_\_\_\_, 2008

Drummond & Associates

2

3

4 By

5 Donald Drummond  
6 Attorneys for Defendant Il Fornaio (America)  
7 Corporation

8

9 **ORDER**

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12 The Court, having considered the parties' stipulation, and good cause appearing therefore,  
13 hereby ORDERS AS FOLLOWS:

14

15 The meet and confer conference between the parties described in General Order 56, ¶4 shall  
16 be completed by August 22, 2008. The deadline for plaintiff to file a Notice of Need for  
17 Mediation shall be continued until September 10, 2008. All other deadlines shall remain the same.

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19 **IT IS SO ORDERED.**

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16 Dated: \_\_\_\_\_, 2008

17 JUDGE  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN JOSE DIVISION

## **FEDERAL COURT PROOF OF SERVICE**

Jean Riker v. Sainte Claire Hotel, LLC - File No. C08-01547 RMW

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to the action. My business address is One Sansome Street, Suite 1400. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On July 7, 2008, I served the following document(s): **STIPULATION AND [PROPOSED] ORDER RE EXTENSION OF TIME FOR JOINT CONFERENCE**

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

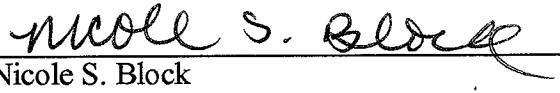
Sidney J. Cohen, Esq.  
Sidney J. Cohen Professional Corporation  
427 Grand Avenue  
Oakland, CA 94610  
Telephone: (510) 893-6682  
Facsimile: (510) 893-9450  
*Attorney for Plaintiff*

The documents were served by the following means:

- [ ] (BY FAX TRANSMISSION) Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed above. No error was reported by the fax machine that I used. A copy of the record of the fax transmission containing the time, date, and sending fax machine telephone number, which I printed out, is attached.
- [ ] (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and I deposited the sealed envelope or package with the U.S. Postal Service, with the postage fully prepaid.
- [ ] (BY OVERNIGHT DELIVERY) Based on an agreement of the parties to accept service by overnight delivery, I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed above. I placed the envelope or package for collection and delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- [ ] (BY PERSONAL SERVICE) I personally delivered the documents to the persons at the addresses listed above. Delivery was made [X] to the party or attorney listed above, or [ ] at the party or attorney's office by leaving the documents in an envelope or package clearly labeled to identify the party or attorney being served with a receptionist or individual apparently in charge of the office, or [ ] at the time of delivery, there appeared to be no one in charge, and the envelope or package clearly labeled to identify the party or attorney being served was left in a conspicuous place.
- [X] (BY COURT'S CM/ECF SYSTEM) Pursuant to Local Rule, I electronically filed the documents with the Clerk of the Court using the CM/ECF system, which sent notification of that filing to the persons listed above.

1 I declare under penalty of perjury under the laws of the State of California that the above is  
2 true and correct.

3 Executed on July 7, 2008, at San Francisco, California.

4   
5 Nicole S. Block

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